

REGULAR MEETING

JANUARY 20, 2004

A Regular Meeting of the Arcadia City Council was held on January 20, 2004 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Fazzone, Whitlock, Heine, Johnson and Goodman. Also in attendance were: Administrator Strube, City Attorney Holloman, City Fire Chief Rutherford, Police Captain Anderson, Special Projects Coordinator Hewett, Ms. Way and Recorder Baumann.

Mayor Fazzone called the meeting to order.

The Invocation was given by Dr. Paul Matthews of Elizabeth Baptist Missionary Church.

Pledge of Allegiance to the Flag.

The minutes of the Regular meeting and Joint Public Hearings of December 16, 2003 were adopted on motion of Whitlock; seconded by Johnson and carried.

Attorney Holloman stated that proposed ordinance No. 908 is of a quasi-judicial matter and asked if anyone had anything to report from the last meeting. No one had anything to report.

Proposed Ordinance No. 908 was presented on third reading. Johnson moved to waive the rules and read the proposed ordinance by title only; seconded by Heine and carried.

ORDINANCE NO. 908

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA, FLORIDA, TO REZONE LOTS 1 THROUGH 5 AND FRACTIONAL LOTS 6, 7, 8, 9, 10 AND 11, BLOCK F SOUTH OF STATE ROAD 70, R.A. MILLS ADDITION TO ARCADIA, FLORIDA AS RECORDED IN PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, FROM MULTIPLE DWELLING R-3 DISTRICT TO RESIDENTIAL-PROFESSIONAL AND BUSINESS RPB DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Goodman then moved to adopt Ordinance No. 908 on third and final reading and that it become an Ordinance of the City; seconded by Whitlock. Mayor Fazzone called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Heine, Whitlock, Johnson, Goodman and Fazzone. Nays: None.

ORDINANCE NO 908

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA, FLORIDA, TO REZONE LOTS 1 THROUGH 5 AND FRACTIONAL LOTS 6, 7, 8, 9, 10 AND 11, BLOCK F SOUTH OF STATE ROAD 70, R. A. MILLS

REGULAR MEETING
JANUARY 20, 2004
CONTINUED

(Ordinance 908 continued)

ADDITION TO ARCADIA, FLORIDA AS RECORDED IN PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, FROM MULTIPLE DWELLING R-3 DISTRICT TO RESIDENTIAL-PROFESSIONAL AND BUSINESS RPB DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, in joint session with the City Council of the City of Arcadia, on Tuesday, December 2, 2003, held a Public Hearing, with proper notice of Public Hearing being given as required by law; and,

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, recommended to the City Council of the City of Arcadia, Florida, that the following parcel of land be rezoned as follows:

LOTS 1 THROUGH 5 AND FRACTIONAL LOTS 6, 7, 8, 9, 10 AND 11, BLOCK F SOUTH OF STATE ROAD 70, R. A. MILLS ADDITION TO ARCADIA, FLORIDA AS RECORDED IN PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, FROM MULTIPLE DWELLING R-3 DISTRICT TO RESIDENTIAL-PROFESSIONAL AND BUSINESS RPB DISTRICT;
and,

WHEREAS, the City Council of the City of Arcadia, Florida, deems it to be in the best interest of the citizens of the City of Arcadia, Florida, that said recommendation be adopted and made a part of the zoning map of the City of Arcadia, Florida; and

WHEREAS, this zone change is in agreement with the City of Arcadia Comprehensive Plan and the City of Arcadia Future Land Use Map is not required to be amended in accordance with minor amendment provisions of the Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, as follows:

Section 1. That LOTS 1 THROUGH 5 AND FRACTIONAL LOTS 6, 7, 8, 9, 10 AND 11, BLOCK F SOUTH OF STATE ROAD 70, R. A. MILLS ADDITION TO ARCADIA, FLORIDA AS RECORDED IN PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, BE REZONED FROM MULTIPLE DWELLING R-3 DISTRICT TO RESIDENTIAL-PROFESSIONAL AND BUSINESS RPB DISTRICT; and the zoning map of the City of Arcadia is so amended.

REGULAR MEETING
 JANUARY 20, 2004
 CONTINUED

(Ordinance 908 continued)

Section 2. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, the remainder of this Ordinance shall not be affected by such invalidity.

Section 3. That this Ordinance shall take effect pursuant to Chapter 73-403 of the laws of the State of Florida.

UNANIMOUSLY PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, ON THIS 20th DAY OF JANUARY, 2004.

ATTEST:

CITY OF ARCADIA, FLORIDA

By: /s/RACHELLE M. BAUMANN
 Rachelle M. Baumann, City Recorder

By: /s/RICHARD P. FAZZONE
 Richard P. Fazzino, Mayor

PASSED ON FIRST READING DECEMBER 16, 2003.

PASSED ON SECOND READING JANAURY 6, 2004.

PASSED ON THIRD READING JANUARY 20, 2004.

APPROVED AS TO FORM:
 DAVID C. HOLLOMON, CITY ATTORNEY

Mayor Fazzino proclaimed the Month of February 2004 as "Black History Month" and urged all residents, businesses and government agencies to join in celebrating Black History Month. Heine moved to endorse this action; seconded by Whitlock and carried. Mayor Fazzino then presented the proclamation to Dr. Matthews.

Mayor Fazzino then issued a proclamation honoring Coach Richard Bowers Jr. Heine moved to endorse this action; seconded by Whitlock and carried. Councilwoman Goodman stated that the original proclamation will be presented to Coach Bowers on February 22, 2004 at 11:00 A.M. at Elizabeth Missionary Baptist Church and invited all council members to attend. Dr. Matthews Pastor of Elizabeth Missionary Baptist Church stated that this is a significant day as Coach Bowers coached the first multi racial team in Florida.

REGULAR MEETING
JANUARY 20, 2004
CONTINUED

Mr. Ron Sweeting of 704 N. Manatee Avenue addressed Council to request an exemption to the fence height requirement from 4 foot to 6 foot along the Gibson Street side of his home. Mr. Sweeting is next door to the school and he hopes that a higher fence would reduce both trash in his yard as well as noise. Administrator Strube stated that this would be a departure from the Code which requires a 15 foot set back for anything greater than 4 feet in height on a street side yard. The current 4 ft. chain link fence is about 15 ft off the right-of-way. Administrator Strube recommends that this be referred to the Planning and Zoning Board. Goodman moved to refer Mr. Sweeting's request for an exemption to the fence height to the Planning and Zoning Board for review and a recommendation; seconded by Johnson and carried.

Mr. Keith Markey addressed Council to request the re-zoning of Lots 9 & 10, Block 8, Tier 1, A. W. Gilchrist East End Addition from One Family Dwelling R-1C to General Business District B-3. Heine moved to refer Mr. Markey's re-zoning request to the Planning and Zoning Board for review and a recommendation; seconded by Johnson and carried. It was noted that the next Planning and Zoning Board meeting will be Tuesday, February 10, 2004 at 4:00 P.M.

A report of Police Fines and Forfeitures for the Month of December 2003 indicates fines \$5,564.75 law enforcement \$26.00 and radios \$425.00. Councilman Heine thanked the Police Department for working with the Sheriff's Department to catch the individuals who had vandalized the Golf Course last week.

The Recorder's report of Revenues and Expenditures for the month of December 2003 was presented.

The December 2003 Public Works report was presented.

The Fire Department report of ambulance runs and collections for the month of December 2003 was presented showing mutual aid given was 4, and mutual aid received was 1.

County Commissioner Needs was in the audience and inquired about the ceremony planned for Coach Bowers. Councilwoman Goodman will get Mr. Needs all of the details on the event.

Administrator Strube reported that the City has won their appeal concerning the CDBG Grant application and we are now in line for full funding. The City can not apply for the new CDBG Grant cycle as you can not have two (2) grants active at the same time. Mr. Steve Weeks will be administering the grant for the City as was proposed in the original application.

REGULAR MEETING
JANUARY 20, 2004
CONTINUED

Councilmember Whitlock stated that he wants to see the City continue to seek grant funds to repair and replace sidewalks.

Councilmember Heine reported a problem with the sidewalk on the Polk Street side of Quality Press.

Special Projects Coordinator Hewett reported that the final lights are being installed this week and he anticipates that the old lights will be removed next week.

Councilman Johnson reported that he has received several calls from Maddy's Antiques regarding the new planters in front of their store noting that they are collecting trash. They also reported broken beer bottles in the parking lot behind their building.

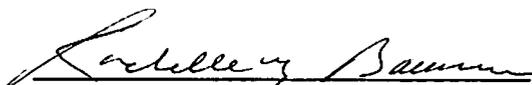
Mayor Fazzone requests that a letter be prepared for his signature congratulating Linda E. Weldon on her twenty-fifth anniversary as the City Manager of Eagle Lake.

Mayor Fazzone reported that he will attend an Emergency Management Workshop which will be held at the County on Thursday, January 22, 2004 from 2:00 – 4:00 P.M.

Councilman Johnson asked Administrator Strube if the City has received any resolutions from the Florida League of Cities regarding water issue concerns and was informed that none have been received.

It was noted that several Council members attended the Martin Luther King Day Parade on Monday, January 19, 2004.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT